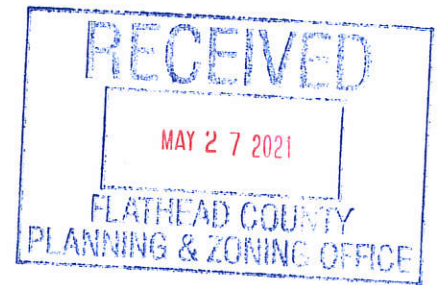


May 21, 2021

Mr. Mark Mussman
Flathead County Planning and Zoning Office
1035 1st Avenue West
Kalispell, Montana 59901



RE: North Fork LUAC Support for North Fork Zoning Regulation Text Amendment

Dear Mr. Mussman,

Thank you for your support and guidance during our 2021 North Fork Zoning Regulation Text Amendment Process and for coming to meet with our community at Sondreson Hall. We are writing this letter to express the unanimous support of the North Fork LUAC for the Text Amendment submitted to you on May 14, 2021.

Our text amendment process had three primary goals. First, the North Fork LUAC believes it is critical that the regulations be embraced by, and reflective of, the North Fork community. Second, we believe it is imperative that the regulations be in alignment with and provide a means to implement the North Fork Neighborhood Plan. Third, the North Fork Zoning District regulations were out-of-date and had sections that were unclear and confusing – thus, the need for greater clarity was an important driver for our process. Each of these issues is summarized briefly below:

1. Community Support

We would like to emphasize our efforts to engage with the North Fork community during this process. Our Text Amendment Subcommittee's efforts have included the following:

- 10/1/2020 LUAC meeting to kick-off text amendment process
- 1/14/2021 LUAC update meeting/community dialogue at the Hall
- 3/9/2021 LUAC update meeting/community dialogue at the Hall
- 4/15/2021 LUAC staff report review/community dialogue with Mr. Mussman
- 4/26/2021 Community Zoom meeting to solicit feedback
- 4/28/2021 Community Zoom meeting to solicit feedback
- 5/11/2021 LUAC/community meeting at the Hall to solicit feedback
- Ongoing Widespread and regular email Blasts

Notably, *in addition to these meetings*, the Subcommittee undertook extensive outreach between late November 2020 through mid-May 2021 by phone, in person, email, and on Zoom to connect with over 90 landowners, many of them multiple times, to explain the process, discuss issues, and obtain feedback. As the result of the intensive outreach and engagement efforts, we feel that the proposed Text Amendment reflects the interests and desires of the North Fork Community. This outcome was well demonstrated during the final (5/11/2021) community meeting at Sondreson Hall, where vigorous conversation resulted in broad consensus amongst the numerous residents in attendance.

2. *Consistency with North Fork Neighborhood Plan*

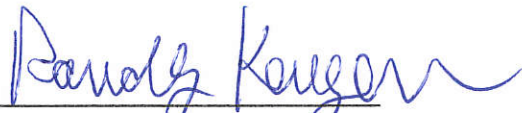
The North Fork Neighborhood Plan was updated in 2008, with broad consensus within the community when it was adopted. We believe that the Text Amendment takes the important step of bringing our zoning regulations up-to-date and more in alignment with our current North Fork Neighborhood Plan.

3. *Providing Needed Clarity*

The North Fork LUAC also believes that the proposed Text Amendment will help clarify the intent of the North Fork Zoning regulations – providing needed clarity for future conditional use applications and providing North Fork landowners with an important resource when making land use decisions.

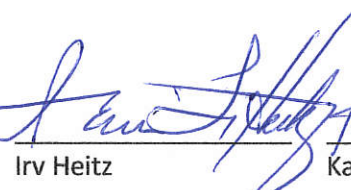

Since the LUAC believes that the proposed Text Amendment meets these three important objectives, we wish to take this opportunity to express our unanimous consent and support for the adoption of the proposed language.

Regards,



Randy Kenyon, Chair NF LUAC
kenyonnorthfork@gmail.com

LUAC Members:


Flannery Coats
Kenna Halsey
Irv Heitz
Karina Pettey
Jim Rittenburg
Don Sullivan
Bill Walker
Larry Wilson

April 27, 2021

Mr. Mark Mussman
Director
Flathead County Planning & Zoning Office
40 11th Street W, Suite 220
Kalispell, MT 59901




Dear Mr. Mussman:

I am writing regarding the proposed Zoning Text Amendment to the North Fork Zoning Regulations. I have had a cabin in the North Fork for the past 34 years and have seen many changes to this special area during that time, and not all of them for the better. I believe the Zoning Text Amendment will help to protect the North Fork from future commercial development and allow us to preserve the rural character of this area that we hold so dear.

I am asking that the Planning Board approve this Zoning Text Amendment and forward it onto the County Commissioners for their approval. I wholeheartedly support it!

Sincerely,


Jim Gurden
14397 North Fork Road
Polebridge, MT 59928

Mark Mussman

From: Jon/Pat Cole <northforkcole@gmail.com>
Sent: Thursday, April 22, 2021 1:37 PM
To: Mark Mussman
Subject: North Fork Zoning Text Amendment

April 22, 2021

Mr. Mark Mussman

Director of Flathead County Planning & Zoning Office

Dear Mr. Mussman:

I have been a full-time resident of the North Fork for the past 24 years and served on the North Fork Land Use Advisory Committee for 9 years from 2000-2009. During that time, I was directly involved in the creation of the Amendment to the North Fork Zoning Regulations addressing Permitted and Conditional Uses, as well as the update to the North Fork Neighborhood Plan.

I am writing at this time to express my overwhelming support for the Zoning Text Amendment submitted by the North Fork Land Use Advisory Committee. It addresses issues and concerns raised by members of our community that were either not previously addressed in our zoning, or not clearly defined. The Committee has zealously sought input from North Fork landowners throughout the entire process, and I believe the Zoning Text Amendment in its current form represents the consensus of the North Fork community.

I urge the Planning Board and the County Commissioners to approve this Zoning Text Amendment. Thank you!

Pat Cole

14405 North Fork Road

Polebridge, MT 59928

Mark Mussman

From: Karin Colby <shumanituista@yahoo.com>
Sent: Thursday, April 22, 2021 4:32 PM
To: Mark Mussman
Subject: North fork Text amendment

Follow Up Flag: Follow up
Flag Status: Flagged

Mr Mussman

Thank you for taking the time to personally come to the NFLUAC meeting.

The comment I would like to add is this

Rental accommodation should have a stated occupancy limit. I believe that an occupancy limit of Four adults should be placed on each rental accommodation unit. Families with children that exceed that number would be ok. I believe this would avoid having someone build larger units and house ten or more people in one accommodation. Adding to all the burdens of traffic on unmaintained residential driveways and excess people wandering around private property.

Thank you again.

Karin Colby

Sent from my iPhone

Mark Mussman

From: Rising Wolf Retreat <risingwolfretreat@gmail.com>
Sent: Monday, April 12, 2021 3:52 PM
To: Mark Mussman
Subject: Food for Thought on North Fork Text Amendment



Hi Mark,

I hope you haven't been too busy this spring or overwhelmed with emails regarding the North Fork but I wanted to offer my thoughts on the Text Amendment to the NF Plan, as I will not be able to attend the meeting next week in person. In general, the text amendments are fairly small but important to the rights of the land owner.

My initial thoughts are that these specific changes are designed to prevent people like me from being able to earn any income while living in the North Fork. The proposed revisions will limit anyone below the age of retirement and living in the middle class from ever being able to afford to live there. The real estate market is already hedging out anyone of modest means, and this will ensure that future generations who wish to access the North Fork or live there will have to be upper class to enjoy that privilege.

In addition, this limits the State and County from receiving business taxes. With my two rental cabins (one on each separately-owned parcel) are already booked to bring in \$33,000 over the summer, and I'll be paying out 8% lodging facility use taxes. The more limited the ability to earn money becomes, the less money goes back into the system.

I also believe there should be a distinction between Short Term Rental (or accommodation) vs. Long Term Rental. Many of us have care-takers over the winter or summer, and that should not take away from a short term rental accommodation, as the long-term renter is replacing the residents.

Lastly, from what I've gathered, the folks on the committee believe that these new rules will "fix" the situation on my property (which clearly motivated this whole thing), and I'll be allowed only one rental accommodation per my 5 acres combined. I've not yet mentioned to them that Erik Mack indicated to me that any use prior to the text amendment could continue without issue but I think that would be helpful for them to know before summer season begins and the gossip chain begins. :) I could use advice on how best to go about this subject going forward with the committee.

Kind regards,

Brooke Allison

Mark Mussman

From: Mary Fisher
Sent: Tuesday, May 25, 2021 9:08 AM
To: Mark Mussman
Subject: FW: Text Amendment for NFLUAC

From: jbk1991@centurytel.net <jbk1991@centurytel.net>
Sent: Tuesday, May 25, 2021 9:04 AM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: Text Amendment for NFLUAC

Hello,

I have worked, recreated or owned property in the North Fork for 55 years.

Please pass the NFLUAC Text Amendment.

I have read the documents, conversed with the committee members working on the amendment and I support the amendment.

Thank you

Jim Betters
14329 North Fork Road
Polebridge, MT 59928

jbk1991@centurytel.net

Mark Mussman

From: Mary Fisher
Sent: Tuesday, May 25, 2021 9:22 AM
To: Mark Mussman
Subject: FW: NFLUAC Text Amendment

From: jbk1991@centurytel.net <jbk1991@centurytel.net>
Sent: Tuesday, May 25, 2021 9:01 AM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: NFLUAC Text Amendment

Hello,

I own property in the North Fork and am writing in support of the NFLUAC Text Amendment. I have read the documents and ask you to pass the amendment.

Thank you,
Karen Black
14329 North Fork Road
Polebridge, MT 59928

406-892-4967
jbk1991@centurytel.net

Mark Mussman

From: Cecily McNeil <crmneil@mac.com>
Sent: Monday, May 24, 2021 3:19 PM
To: Mark Mussman
Cc: Randy Kenyon
Subject: Text amendments to the North Fork Zoning Regulations

I have read and considered the Zoning Regulations for the North Fork, to be discussed at a meeting in Kalispell on the evening of June 9. A North Fork landowner since 1958, I was in the nineteen-sixties and seventies a member of a group beginning on this struggle to protect the unique qualities of the valley of the North Fork of the Flathead. I was the actually the person who suggested the idea of the North Fork Compact, because of my being favorably impressed with such a land use arrangement in a northern Michigan area.

To see the next generation carrying on planning is gratifying.

The issues now at the forefront are I think correctly identified: light pollution, rental structures, a cell phone tower, and so on.

I agree with the revisions suggested in the new NFLUAC document to create a more up-to date set of zoning regulations.

All this effort takes place in a social, even a global context which none of us can escape: heavier demand, deep need to find unspoilt areas to recreate in and also, unfortunately, to live in. I think the North Forkers who worked on these revisions have done the best they can at this time. And this letter is to express my support.

I apologize if this is not the correct email address!

Cecily R. McNeil

Mark Mussman

From: Mary Fisher
Sent: Monday, May 24, 2021 3:49 PM
To: Mark Mussman
Subject: FW: North Fork proposed zoning text amendment.

From: Ed Heger <eeheger@hotmail.com>
Sent: Monday, May 24, 2021 3:45 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Cc: Randy Kenyon <kenyonnorthfork@gmail.com>
Subject: North Fork proposed zoning text amendment.

Planning Board Members

I have been a landowner in the North Fork for over 25 years and I support the proposed changes.

I believe that the changes are of an important clarifying nature and help continue the spirit and intent of the original documents which have been successfully in place for many years.

Over the years residences of the North Fork have come together to successfully develop land use planning and zoning. This community effort reflects the shared values and perspective of protecting the special nature of the North Fork. The current proposal also reflects a community effort.

I respectfully request that the Board approve these changes and recommends approval to the County Commissioners

Thank You for the consideration in this matter.

Sincerely,

Ed and Susie Heger
15640 North Fork Road
Polebridge MT 59928

Sent from [Mail](#) for Windows 10

Mark Mussman

From: Mary Fisher
Sent: Monday, May 24, 2021 4:25 PM
To: Mark Mussman
Subject: FW: North Fork Zoning Regulations Text Amendment

-----Original Message-----

From: Alyson <akillich@comcast.net>
Sent: Monday, May 24, 2021 4:22 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: North Fork Zoning Regulations Text Amendment

Dear Sir or Madam:

My husband and I have been landowners in the Polebridge area since 2008. The purpose of this email is to express my support for the text amendments proposed for the North Fork Zoning Regulations. We very much appreciate your time and consideration throughout this process!

Sincerely,

Alyson K. Illich
587 East Meadow Road
16135 North Fork Road

Mark Mussman

From: Mary Fisher
Sent: Monday, May 24, 2021 4:29 PM
To: Mark Mussman
Subject: FW: Text amendments to the North Fork Zoning Regulations

From: Randy Kenyon <kenyonnorthfork@gmail.com>
Sent: Monday, May 24, 2021 4:28 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Cc: Cecily McNeil <crmccneil@me.com>
Subject: Fwd: Text amendments to the North Fork Zoning Regulations

Thanks Cecily!

----- Forwarded message -----

From: Cecily McNeil <crmccneil@mac.com>
Date: Mon, May 24, 2021 at 3:18 PM
Subject: Text amendments to the North Fork Zoning Regulations
To: <mmussman@flathead.mt.gov>
Cc: Randy Kenyon <kenyonnorthfork@gmail.com>

I have read and considered the Zoning Regulations for the North Fork, to be discussed at a meeting in Kalispell on the evening of June 9. A North Fork landowner since 1958, I was in the nineteen-sixties and seventies a member of a group beginning on this struggle to protect the unique qualities of the valley of the North Fork of the Flathead. I was the actually the person who suggested the idea of the North Fork Compact, because of my being favorably impressed with such a land use arrangement in a northern Michigan area.

To see the next generation carrying on planning is gratifying.

The issues now at the forefront are I think correctly identified: light pollution, rental structures, a cell phone tower, and so on.

I agree with the revisions suggested in the new NFLUAC document to create a more up-to date set of zoning regulations.

All this effort takes place in a social, even a global context which none of us can escape: heavier demand, deep need to find unspoilt areas to recreate in and also, unfortunately, to live in. I think the North Forkers who worked on these revisions have done the best they can at this time. And this letter is to express my support.

I apologize if this is not the correct email address!

Cecily R. McNeil

Mark Mussman

From: Mary Fisher
Sent: Tuesday, May 25, 2021 7:38 AM
To: Mark Mussman
Subject: FW: North Fork Zoning

From: Gerry Stearns <gsmontana2@gmail.com>
Sent: Monday, May 24, 2021 7:08 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: North Fork Zoning

I totally support the proposed text amendment to the North Fork zoning. Please approve it.

Gerry Stearns
635 Moose Creek Road
Polebridge, MT 59928

Mark Mussman

From: Angela Phillips
Sent: Monday, May 24, 2021 12:43 PM
To: Mark Mussman
Subject: FW: Proposed North Fork planning

From: Dennis Drayna <draynadennis@gmail.com>
Sent: Monday, May 24, 2021 12:35 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: Proposed North Fork planning

I strongly support the implementation of guidelines and regulations on the control of noise and light pollution in the North Fork of the Flathead Valley. The North Fork continues to see an enormous increase in visitor usage and overall traffic, which bring threats to the unique character of the North Fork that us landowners have fought to preserve for many years. Quiet, dark skies are an endangered landscape in the U.S. and the North Fork is one of the best places to preserve these. Regulations regarding noise and night lighting are needed before the special character of the North Fork is lost forever.

Thank you,
Dennis Drayna
1639 Long Bow Trail
Polebridge, MT 59928

Mark Mussman

From: Angela Phillips
Sent: Monday, May 24, 2021 11:34 AM
To: Mark Mussman
Subject: FW: North Fork Zoning Text Amendment

From: Jon/Pat Cole <northforkcole@gmail.com>
Sent: Monday, May 24, 2021 11:33 AM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: North Fork Zoning Text Amendment

Attn: Mark Mussman

Dear Mr. Mussman: I am writing in support of the Revised North Fork Zoning Text Amendment which will come before the County Planning Board on June 9th. I believe this text amendment clarifies the existing zoning regulations and provides for avenues to address future commercial development in the North Fork. I am a full-time resident of the North Fork and have been so for the past 24 years and urge the Planning Board to approve this amendment without changes. Please pass my comments onto the Planning Board as I will be unable to attend the hearing. Thank you.

Jon Cole
14405 North Fork Road
Polebridge, MT 59928

Mark Mussman

From: Angela Phillips
Sent: Monday, May 24, 2021 10:46 AM
To: Mark Mussman
Subject: FW: North Fork land Use Text Amendments

From: Randy Kenyon <kenyonnorthfork@gmail.com>
Sent: Friday, May 21, 2021 4:43 PM
To: Angela Phillips <aphillips@flathead.mt.gov>
Subject: Fwd: North Fork land Use Text Amendments

And more! Thanks!
Randy Kenyon

----- Forwarded message -----

From: Peter Guynn <peter.guynn51@gmail.com>
Date: Fri, May 21, 2021 at 4:21 PM
Subject: North Fork land Use Text Amendments
To: kenyonnorthfork@gmail.com <kenyonnorthfork@gmail.com>, <planning.zoning@flathead.mt.gov>

Dears Sirs

I attended an earlier zoom session with the North Fork land Use Advisory Committee, provided input to the text amendments and I participated in the discussions at the meeting in Sonderson Hall May 11.

We have owned property in the Trail Creek area now for 21 years. We were drawn there by the North Forks special qualities and we have always helped whenever needed to support preserving these as well. We appreciate that both Canada and our country have taken measures toward that goal as well during our presence in the North Fork.

We are in total support of the moderate changes which have been made. Much of my input was in regard toward a sensible approach to cellular communications and the effects of future developments toward light pollution. Everyone in the meeting was of the consensus that the undisturbed starry clear night sky was one of the most treasured qualities, for that reason I would have preferred that it be called clear starry nights instead of the term "dark skies". I do feel that newcomers to the North Fork will take measures to limit lighting to essential level especially following a community outreach support.

Thank you for your support.

Peter C Guynn
Caroline C Guynn

Mark Mussman

From: Mary Fisher
Sent: Friday, May 21, 2021 1:03 PM
To: Mark Mussman
Subject: FW: PLEASE send Supporting Comments
Attachments: NFLUAC Text Amendment Change Summary.docx; NFLUAC PB Revised Text Amendment Highlighted.docx; NFLUAC Text Amendment Revision Clean.docx

From: Bruce McNeil <cbm010@msn.com>
Sent: Friday, May 21, 2021 1:02 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: Fw: PLEASE send Supporting Comments

I have read and support the revised text amendment proposed by the North Fork Land Use Advisory Committee. I hope these amendments will be approved and adopted as part of North Fork zoning regulations.

Bruce McNeil (and Cecily McNeil)

406 253 9720

North Fork landowner (north west off Moose Creek)

From: NFLA Treasurer <nflatreasurer@gmail.com>
Sent: Friday, May 21, 2021 12:40 PM
To: nflatreasurer@gmail.com <nflatreasurer@gmail.com>
Subject: PLEASE send Supporting Comments

Dear Landowner:

*In our continued effort to inform and educate our members and non-members about important issues/events affecting our valley, I am forwarding below an email and attachments from Randy Kenyon, Chairman of the NF Land Use Advisory Committee, regarding text amendments to the North Fork Zoning Regulations that have been proposed by the North Fork Land Use Advisory Committee (LUAC). The LUAC has made a huge effort to contact, and receive input, from ALL landowners. As Randy says below, "**Now comes crunch time.**" It is critical that you write a supporting letter, or email to the addresses Randy provides, AND attend the meeting, please! Experience has proven that a room full of North Forkers DOES have an impact.*

*Please email Randy Kenyon at kenyonnorthfork@gmail.com with any questions or comments, and to get on their email list for further updates. As always, if you would **not** like to be emailed about issues like this, or fires, or other information affecting the North Fork, please feel free to contact me nflatreasurer@gmail.com to have your email deleted. Thank you for your understanding. Chris Heitz, NFLA Treasurer*

To: North Fork Landowners
From: the North Fork Land Use Advisory Committee (NFLUAC)

At our recent well attended May 11th meeting, we carefully reviewed the wealth of community comments. In order to respect and respond to those comments a number of minor revisions were proposed. Two issues came to the forefront consistently: noise and dark skies. Wording for those were proposed to be added to the Text Amendment. They are not regulatory in nature, but rather focused on an education and good neighbor basis. Cell towers have moved from administrative to conditional use. Requirements for utilities to be underground were also added, both more likely for future generations based upon their current impracticability. Lastly, a minor non-substantive change was made in the wording of Rental Accommodations (providing reference to County and State requirements that must also be followed). No negative comments came forth and the discussion moved on to the NFLUAC. There was some dissent, but in the end, it was agreed unanimously to forward this revised version to the planning board, replacing the April version. **A version with highlighted changes noted and a clean version are attached.**

Now comes crunch time. The planning board meeting is scheduled for June 9th at 6:00pm on the second floor of the county planning building 40 11th Avenue West in Kalispell. It is absolutely imperative that this board hear from our community, and soon. If you feel comfortable with this revised text amendment we encourage you to send your comments to planning office at the following addresses: Flathead County Planning and Zoning Office 1035 1st Avenue West Kalispell 59901; or email planning.zoning@flathead.mt.gov. Email comments carry the same weight and are much easier. Comments can be brief, noting you've read the document and you support it. If you are unsure what to write please contact me at kenyonnorthfork@gmail.com . If we are going to see success in this endeavor, it is essential that you let the planning board know of your support. Success in this endeavor is an important step in preserving this place we call home!

Randy Kenyon
Chair, NFLUAC

Mark Mussman

From: Mary Fisher
Sent: Monday, May 24, 2021 7:34 AM
To: Mark Mussman
Subject: FW: NFLUAC Revised Community Land Use Guidelines

From: carol edwards <polebridgemod@yahoo.com>
Sent: Saturday, May 22, 2021 9:43 AM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: NFLUAC Revised Community Land Use Guidelines

Dear Planning Zoning Committee,

I am writing to you to ask that you approve the revised documents for the North Fork area, as our NFLUAC members have worked very hard and with intense community support to bring the documents up to date. These new guidelines will help us to protect and maintain the very special qualities that we who have lived in or come to this area value.

Recently, with the steadily growing population and interest in having a home outside of the urban cities, we have encountered a new set of pressures and an interest in developing businesses that bring in even greater numbers of people. The pandemic and the restricted entry that it caused has only magnified the overuse of the North Fork Rd., insufficient infrastructure of Polebridge and the North Fork Areas and the degradation of areas used for camping. Guidelines for private land ownership have been trampled in the process and disregard for community standards violated.

Last year, a new owner, setting up a business on the property next to mine actually built an outhouse over the boundary of my property. I had to hire a surveyor to establish the correct property lines, at a cost of \$1,500.00. Walking my property, I found more than a dozen trees cut down near the same area.

We need the protection that this new document provides, the specificity will help us hold accountable those who would ignore the rules and the values of our historic community.

Carol Edwards
10641 North Fork Rd.
Polebridge, MT 59928

Mark Mussman

From: Mary Fisher
Sent: Monday, May 24, 2021 7:35 AM
To: Mark Mussman
Subject: FW: documents

From: Rich Shoemaker <rpshunt@ptd.net>
Sent: Sunday, May 23, 2021 10:59 AM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: documents

Mr. Mark Mussman,

Dear Mark,

My wife and I read and support the revised zoning text amendment and urge the Planning Board to approve it without any changes.

Thank you,
Richard and Ann Shoemaker
14415 North Fork Road,
Pole Bridge, MT 59928

Mark Mussman

From: Mary Fisher
Sent: Monday, May 24, 2021 7:35 AM
To: Mark Mussman
Subject: FW: North Fork Zoning Text Amendment

From: Patti Hegland <pkhegland@gmail.com>
Sent: Sunday, May 23, 2021 1:03 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Cc: Dave Hegland <dahegland@gmail.com>
Subject: North Fork Zoning Text Amendment

Mr Mark Mussman -

We have been property owners in the North Fork since 1979. We have read the Revised Zoning Text Amendment for the North Fork and fully support its approval.

It has been carefully written and considered and now it is critical that it be approved by the Planning Board without changes. We need to preserve this special place. Thanks.

Our North Fork property address is:

14350 North Fork Road

Polebridge, MT 59928

Sincerely,

David and Patti Hegland

Mark Mussman

From: Mary Fisher
Sent: Monday, May 24, 2021 7:36 AM
To: Mark Mussman
Subject: FW: Boyd comments on NFLUAC recommendations
Attachments: Boyd comments on NFLUAC recommendations.docx

From: Diane Boyd <dianekboyd@gmail.com>
Sent: Sunday, May 23, 2021 4:56 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: Boyd comments on NFLUAC recommendations

Dear Flathead County Planning And Zoning Officials,

Attached are my comments in support of the very recent North Fork Land Use Advisory Committee suggestions. They are carefully structured and articulate, and are much needed to protect the wild character of the North Fork. Time is of the essence as the surging human pressures are rapidly degrading the character of the North Fork. Please support all of the NFLUAC recommendations.

Thank you for your consideration,

Diane Boyd
a landowner at 800 Trail Creek Road, Polebridge

Diane Boyd
1885 N. Belmar Drive
Kalispell, MT 59901

Flathead County Planning and Zoning Office
1035 - 1st Avenue West
Kalispell, MT 59901
May 23, 2021

Dear Flathead County Planning and Zoning Officials,

Due to the rapidly increasing North Fork visitation, and residential and commercial development, it is imperative to update and expand the North Fork Land Use guidelines; they are outdated and no longer address the critical pressures being exerted on the wild and pristine character of the North Fork. As a North Fork landowner for 40 years (800 Trail Creek Road, Polebridge, MT, 59928) and as a biologist, I strongly agree with the recommendations of the North Fork Land Use Advisory Committee as recently amended and submitted for your consideration. I look forward to attending the June 9 mtg at the FCPZ Office to voice support of these recommendations.

In 2008 The North Fork Neighborhood Plan (NFNP) superbly captured the reasons to uphold the new recommendations, and in part states:

"The North Fork of the Flathead River Valley is a unique and very special place. The North Fork feels like a place left behind by the modern world...gives the remote valley and its residents an experience hard to find today in the lower 48 states. A wide open, un-crowded place, with pristine water, clean air, dark night skies, abundant wildlife, quiet and solitude, with incredible scenic vistas are values residents of the North Fork hold dear." The authors of the NFNP had visions of a protected future for the North Fork, and certainly must be shocked by how drastically and detrimentally the North Fork is changing.

Please adopt the NFLUAC guidelines as presently revised. Thank you for your consideration.

Sincerely,

Diane Boyd

Diane Boyd

Mark Mussman

From: Mary Fisher
Sent: Monday, May 24, 2021 7:36 AM
To: Mark Mussman
Subject: FW: Updated Northfork Zoning Regulations

From: Andy Apple <andyapple2@gmail.com>
Sent: Sunday, May 23, 2021 8:21 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: Updated Northfork Zoning Regulations

Dear Flathead County Planning Board,
I am writing to you about the updated Northfork zoning regulations that you will discuss at the planning board meeting scheduled for June 9, 2021. I am in favor of the adopted changes and ask for your support of them too. My name is Andy Apple. I have owned property in the Tepee Lake area of the Northfork since 1998. My wife, children and myself have spent so much time at our cabin over the years that we have grown to appreciate the uniqueness of the Northfork and our hope is that future generations will be able to have similar experiences. I have thoroughly read and understand the amended text changes throughout the document and agree that these changes are positive in nature and will contribute to making this a better document for all interested parties. Thank you so much for your support.

Andy Apple
828 Highland Drive
Whitefish, MT 59937
406-260-7600

Mark Mussman

From: Mary Fisher
Sent: Thursday, May 20, 2021 1:50 PM
To: Mark Mussman
Subject: FW: NF support

From: Chuck Ludden <cluddenkayak@gmail.com>
Sent: Thursday, May 20, 2021 1:30 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: NF support

Flathead County Planning and Zoning Office,

I am a member of the North Fork community. I cherish the unique environment of the North Fork. I have read the latest version of the revised NFLUAC and approve the changes and policies. In my opinion this text amendment is extremely important to protect the unique values of the North Fork for future generations.

Thank you for your consideration on this important matter.

Chuck Ludden
201 Thayer Lane
Polebridge, MT

Mark Mussman

From: Mary Fisher
Sent: Thursday, May 20, 2021 3:20 PM
To: Mark Mussman
Subject: FW: North Fork Zoning

From: Brad Ludden <brad.ludden@gmail.com>
Sent: Thursday, May 20, 2021 3:19 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: North Fork Zoning

To the Flathead County Planning and Zoning Office:

I'm a passionate member of the North Fork community and care deeply about that place and its future. As such I try my best to be a voice for that wild place whenever possible, and stick up for her best interests. Along those lines, I want to voice my approval for the latest version of the revised NFLUAC and approve all changes, verbiage and policies.

I believe this text amendment is important and in line with my previously stated intentions of preserving the North for now and for generations to come.

Thank you for your time and consideration,
Brad Ludden
201 Thayer Lane
Polebridge, MT

Mark Mussman

From: Jon/Pat Cole <northforkcole@gmail.com>
Sent: Thursday, April 22, 2021 1:37 PM
To: Mark Mussman
Subject: North Fork Zoning Text Amendment

April 22, 2021

Mr. Mark Mussman

Director of Flathead County Planning & Zoning Office

Dear Mr. Mussman:

I have been a full-time resident of the North Fork for the past 24 years and served on the North Fork Land Use Advisory Committee for 9 years from 2000-2009. During that time, I was directly involved in the creation of the Amendment to the North Fork Zoning Regulations addressing Permitted and Conditional Uses, as well as the update to the North Fork Neighborhood Plan.

I am writing at this time to express my overwhelming support for the Zoning Text Amendment submitted by the North Fork Land Use Advisory Committee. It addresses issues and concerns raised by members of our community that were either not previously addressed in our zoning, or not clearly defined. The Committee has zealously sought input from North Fork landowners throughout the entire process, and I believe the Zoning Text Amendment in its current form represents the consensus of the North Fork community.

I urge the Planning Board and the County Commissioners to approve this Zoning Text Amendment. Thank you!

Pat Cole

14405 North Fork Road

Polebridge, MT 59928

Mark Mussman

From: Mary Fisher
Sent: Thursday, May 20, 2021 1:14 PM
To: Mark Mussman
Subject: FW: NFLUAC

From: tmarx401@gmail.com <tmarx401@gmail.com>
Sent: Thursday, May 20, 2021 11:39 AM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Cc: kenyonnorthfork@gmail.com
Subject: NFLUAC

Dear Board Members

Please support the recommendations of the North Fork Land use Folks. My Family bought land about 70 years ago.

Small changes like this help retain what is left of the North Fork of the Flathead.

Thomas H Marx
15050 NFR
Polebridge

401 Sylvan Drive
Kalispell MT 59901

Mark Mussman

From: Angela Phillips
Sent: Thursday, May 20, 2021 12:54 PM
To: Mark Mussman
Subject: FW: In Support of the NFLUAC Text Amendment

-----Original Message-----

From: Courtney Ludden <courtneyludden@mac.com>
Sent: Thursday, May 20, 2021 12:54 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: In Support of the NFLUAC Text Amendment

To the Flathead County Planning and Zoning Office:

As a member of the North Fork community, I have read the latest version of the revised NFLUAC and approve all changes, verbiage and policies. I believe this text amendment is imperative to protecting the unique values of the North Fork for future generations.

Thank you for your time and consideration,

Courtney Ludden
201 Thayer Lane
Polebridge, MT

Mark Mussman

From: Mary Fisher
Sent: Wednesday, May 19, 2021 4:54 PM
To: Mark Mussman
Subject: FW: NFLUAC text amendments

From: Debo Powers <debopowers@gmail.com>
Sent: Wednesday, May 19, 2021 4:53 PM
To: Planning.Zoning <Planning.Zoning@flathead.mt.gov>
Subject: NFLUAC text amendments

Hello hard-working public servants,

I am writing in support of the zoning text amendments proposed by the North Fork Land Use Advisory Committee. I have read the document and participated in several well-attended meetings where the content was thoroughly discussed with our North Fork community. Members of the NFLUAC have worked hard on this document and have been extremely open to public comments and revising the final document on the basis of those comments.

I enthusiastically support the approval of these amendments. They clarify the intent of the original document.

Thank you for your service to Flathead County,

Debo Powers
11499 North Fork Road
Polebridge, MT 59928
406/407-0787

They do not need a bear babysitter. We are lucky enough have good relationships with wildlife experts, and we use them already.

If in any part of this zoning draft document addresses agriculture, livestock, the choice of what to plant or not to plant is impacted or dictated around are prohibited or restricted down to needing anyone's permission to do so, IT SHOULD BE STRICKEN FROM THE DOCUMENT. Ruth Sondreson was a farmer, ran cattle and preserved the North Fork as best as she could. She and the rest of the homesteaders would roll over in their graves if they found out anyone is saying you cannot plant whatever you want on your land and have whatever kind of livestock you want. Including pigs. Now, do I want pigs? No, I do not, but if someone is silly enough to want to have five of them, and keep them safe from bears, they will quickly learn by themselves it is not a hot idea.

Ruth and Lloyd Sondreson, Ethel and Frank Newton, Rachel and Harold Sweet and Matheson's all had hay pastures, among other things, milk cows, like we did and a hell of a lot of natural born common sense. They would not want the North Fork to turn into an unnatural community born out of extremes of fear of the newcomer and babysitting whether someone is growing corn in their yard. Neither would they have wanted it turned into the summer uses amusement park for guided trips and tours of any sort. Long live the celebration of common sense and befriending the newcomer with education, not the practice of fear mongering and property value lowering.

I would like to know what exactly the chemicals on the road are. All bikers and road users, cars too breathe it in all the time. Those chemicals leach into the air and woods and waterways and if they are strong enough to rust out your car, they likely are not good for the human body either. We should be thinking about whether we truly wish to have the county put this stuff on the roads. It was a band aid on the road problem at the time, which has long since ballooned into bigger road and traffic problems. If we do not want it, we should as a collective body tell the County. Whatever it is it floats into the air with each passing car into the dusty no longer clear valley air, in the entire North Fork Valley all dry road days we have.

May 8th, 2021

Dear Flathead County Planning and Zoning Department and NFLUAC,

This letter to you all is to comment on the Draft of the Zoning updates that the NFLUAC is putting before the Planning and Zoning Department and before the North Fork public.

Please kindly take into consideration the corrections that should be made in the regulations prior to them being passed into zoning regulations.

I have been unable due to logistics and time zone related issues to attend any in person meetings and any zoom meetings. Therefore, I am submitting this letter as comments to the zoning draft.

My family has had a place in the North Fork since 1972, we know it well. We were lucky enough to be in the North Fork when it was an agriculturally used and appreciated place, yes, even living together with all the wildlife. We lived without the now to be considered lucky information from the bear managers of bears locations in the North Fork for all these years, with natural respect and caution, just as it should be today.

First of all, there are items mentioned in the document, that should be separated out from zoning, and taken out of the document completely. These items should be considered and named in a separate document and used as something to be referred to, as "recommendations" and not zoning rules.

There is some restrictive language, that truthfully constitutes a taking away of property rights and uses, after someone has already purchased the property. This information was not on a person's title commitment as a potential taking when they purchased their land.

Please note this important point.

Another important thing to pay attention to is that zoning regulations are zoning guidelines for the administrative body who enforces them. We North Forkers are not the administrative body. It seems clear after reading and rereading them, that the Zoning documents as drafted are trying to be

more than the regulations, the documents are trying to be an enforcement entity, and this is not how the administration of zoning works.

The North Fork was a place for cattle, horses, hay fields, gardening, and some farming, even living back-to-back with the bears and the wolves and all wildlife as it was all homesteaded. It should still be this now, and in the years to come. Preserving the integrity of the North Fork is very important, but not so important as to wipe out the old historical uses of the land.

Mandating that owners use electric fencing is over the top. I am against mandating fencing and the type of fencing. We should not be turning the bear management plan into our zoning plan. These are two different things. The issue of bear management is already handled in the law by the wildlife regulations of Montana, specifically the bear management group. It is illegal to bait bears and to attract them by carelessness already.

It is mentioned in more than one place in the documents. It should be a "recommendation or a suggestion", but not a must do, must have, zoning regulation. It needs to be in a separate educational type of document. It is unrealistic to electric fence over 90 acres of land if we have a horse, a steer, a milk cow, or livestock. If you choose to pass the zoning regulations with mandatory fencing or livestock restrictions, for any reason, I kindly request you "grandfather" us out and exclude the properties that are a part of our family lands and cabin. We have owned large parcels in the North Fork since 1972, and our current lands since 1987.

The raising of livestock and domestic animals should be a separate document of "recommended ways to live in the North Fork", but not a part of the zoning regulations. It has no place in our rural community that others dictate, or forcibly suggest, at this level, how a landowner wishes to use their land with the raising of livestock of any sort. The definition of livestock includes cattle and horses and more. You put in the same category poultry. Poultry are also not livestock. Pages 2 and 3, items A, B, and C need to be written as a referral words from the document or redrafted to not mandate Montana law which is already covered by the laws of Montana themselves. This is like putting suspenders on your pants where you already have a belt holding them up. It is overkill. The

law is the law about bears and wildlife. What you need is an educational document and to educate, our zoning is not to be an extension of the already stated wildlife laws of Montana.

The North Fork lands are not a “in the process of being newly created subdivision”, which is where specification like this might have belonged. It is misusing the system of zoning. Parts of these new zoning document drafts reach into what are really covenants, and reaches into what is called architectural committees, and we have neither. Even if we wanted to have such far reaching extensions into the land ownership of others, long after the homesteaders homesteaded, we are not organized enough to begin such processes, and again, it reaches deeply into an almost taking of rights away from an owner. The toothpaste was out of the tube a long time ago for such thinking. As stated, many parts of this zoning update need to be a separate document called e. g. “recommendations of ways to live with wildlife in the North Fork”, or similar. It really has no place in zoning.

We are not talking about 1/4 of an acre and 1/2 of an acre lots, side by side and entire neighborhoods of the same. We are talking about all shapes and sizes of land and an approximate total number of 800 lots or properties, except for those lots down around the Polebridge Mercantile, and Whale Creek Estates which are relatively all the same size.

Page 1 -The words “appropriateness of design” needs to be stricken from the document. This is subjective. It would require an architecture review committee, and or covenants. It sounds to me like you are trying to be the one who decides what someone designs on their property. Where will this stop and start? It is not enforceable. This is not right unless you have other systems in place as I mentioned above. There is no appropriate check and balance for the subjective element of design.

Page 2 - The words for the majority of our zoning documents need to match many instances of how the county words their documents. This is likely true throughout all the North Fork documents.

You need to strike the words, “adversely affect neighboring properties”. I believe these words are used often in the draft zoning documents. The zoning regulations themselves already cover the issues.

If you feel the real issue of why you want these words is not stated in the zoning documents, then put in the real and specific reason if that idea is a needed one.

By keeping these words in the document, you will be setting up a situation for the neighbors as a standalone reason to turn someone down when they want to use their land in a way that meets the zoning regulations, but simply displeases another person. This will end up being a subjective he said she said argument. It, again, has no check and balance system to keep it honest.

If it were up to me, as an example, I would state, excessive shooting of high-powered hunting rifles and handguns and guns of any sort is “adversely affecting my land”, and I would make a designated place and specific time in the North Fork that area could be used during the daytime. I was told this is a difficult thing to regulate, but the last thing we need is every owner quietly running their own private shooting range, and there is definitely some of this going on in more than one location in the North Fork, but I am told at the county level this is tough to regulate, but this is the kind of thing you are implying when stating “adversely affect neighboring properties”. Again, adversely affecting neighboring properties is subjective and not administrable.

Page 3, Item C - Strike the entire paragraph, but put it in the separate document that addresses how to live with wildlife. It seems clear we need an informational handout suggesting the best ways to live with bears, but the zoning document is not the instrument to use for such a wish.

The North Fork, NFLUAC nor any other body of people, never told anyone BEFORE they bought their property that they were going to say what a person could and could not grow on their own property. It does not belong here and reads as though someone took the bear management document and plugged it into the zoning regulations. It is a misuse of information in the inappropriate place. It belongs in “recommended ways to live in the North Fork”, nowhere else.

Same goes for **item D**, move it to “recommendations of how to live in the North Fork”, make a note in the file you will get fined for purposefully attracting bears and wildlife to interact with humans. It is already covered by the law. Again, it belongs in recommendations and informational facts a landowner needs to know, but not in zoning. Our zoning is not a bear management mandate, if you

want this, we should call the Park and tell them to please include our lands in theirs. This is what you are doing, by these words. You are setting the stage for Glacier National Park to stage the reasons in a courtroom to include the North Fork as in holdings in the Park. They have done this before, take lands using the law and then gotten the lands legally included as Glacier Park. Why would you hand them documents like this? These issues as stated about bears are already covered by the wildlife laws and likely other laws in Montana. Pretty foolish if you ask me. The staff at Glacier Park changes all the time, so does the Forest Service, with the changing of the staff comes a changing of opinion of them of how they wish to run the Park, and the choices they wish to make to back their ideas.

About twenty-nine years ago, the Park, in fact Scott Emmerich, was involved in trying to take the rights of ownership and selling privately owned land in the Park and building on that land, away from a legal owner, under the interpretation that the Park owns the land as it is situated within the boundaries of Glacier National Park.

He put a lot of effort into it and gained a lot of backers within the park system to try and do it.

Page 5 Definitions 3.40.050 - The below belongs in a document informational type of structuring, about living with wildlife, it does not belong in the Zoning documents and definitions.

Agricultural/Timber Operation - please strike completely the words, "agricultural activities that increase the potential for wildlife conflict must take necessary steps to mitigate the potential conflict (as specified in Section 3.40.012, Performance Standards), including consultation with appropriate state and/or wildlife experts". Take this out of the document. It is covered by the wildlife laws in Montana. You should not be mandating that someone consult with wildlife experts. You as a body of people are not the regulators. State the regulations you wish and leave the rest to the enforcement body, at the County level.

Since when did residents of the North Fork turn themselves into Wildlife Managers, and experts of other residents? You are practicing protectionism and fear mongering in a far-reaching way. We have bear managers and wildlife managers, and we have a lot of good people with common sense.

Page 6 – e-bikes. It is incongruent that e-bikes are allowed.

Why? You just stated over and over you are concerned for bears interacting with humans. E-bikes enable you to go faster, than just your regular pedaling allows you to go. So, which is it, you do not want bear problems, or you only want the bear problems that come from someone riding an e-bike somewhere too fast and runs into a bear, startles the bear and then the human gets hurt? A privately owned e-bike is a different thing than someone renting out e-bikes. It is the renting out of them that should be stricken from the documents.

Something to think about - too many e-bikes on the road with no passing lane will happen, just as too much traffic on the road has been happening over the last increasing decades, and it is getting worse.

Imagine the North Fork traffic while waiting for tour groups of 20 or more e-bikes behind the line up of twenty cars all waiting to pass in the three months of summer you have to get your broken water line fixed (you get the idea). Oh boy, is your plumber going to love the traffic on the North Fork road now. If you can get them to come up in the first place.

Page 6 Item 7 - Home based business should be five employees, not one. One employee is not enough to get something done. I believe the county docs read five employees and the North Fork docs should read the same. All you are doing by reaching too far is setting up a situation for a lot of famous North Fork infighting. This we do not want. We want a community to heal even through new ownership and more building and come back together and to restore common sense, not to shove it down their throats. After all nobody did this to us all when we bought property, so why should we now start doing this to others?

Page 8 - Last paragraph

I am not sure that using a deed restriction in the way you are “wishing to inform” is the best way to inform. A deed restriction is not a good idea, now you wish to be the deed restriction police? Who is going to do all this? No one will. The zoning is the zoning, but not the act of doing. The enforcement body is the county and their systems, and they work. Various North Fork committees are not the

enforcement body. Again, it sounds to me and reads to me, like a reaching of desperation out of not understanding the administration of the regulations.

Wishing to inform of regulations sounds like you have not enough clarity in how to administer your goals of keeping a handle on the number of rentals in the North Fork. State the rules and that is it. Then the issue is covered by the rules.

Restricting the deed of someone's land is a taking and a reducing of their property values, and significantly reduces the market value of the land, after the person has already purchased it. The same thing happens when you put a Conservation Easement on your land, the value in any appraisal goes permanently down. The often-used number of value impact is thirty percent for the recorded easement on the land restriction. It would seem to me you are far better off going for education and using the County systems established a long time ago to enforce the regulations you are establishing. The goal of the zoning document is to set the rules. The enforcement of the rules is up to the County, and the enforcement body.

Thank you for your time and consideration of these matters. I thank you all as well, for the amplitudes of time you all have spent getting the documents to this point, a major effort indeed. These issues are challenging to put in place after properties have already been developed, but as difficult these issues are, they must still be fairly administered. I would again strongly suggest you revisit the idea of deed restrictions and to trust in the County systems to achieve your goals.

Kind Regards,
Christine Lawrence